

Save Our Schoharie
PO Box 856
Schoharie, New York 12157

March 26, 2007

Mr. Kent P. Sanders
Deputy Permits Administrator
NYS Department of Environmental Conservation
Region 4
65561 State Highway 10, Suite 1
Stamford, NY 12167

Re: Cobleskill Stone Products
Application for Expanded Mining in
Schoharie, New York

Dear Mr. Sanders:

I am writing on behalf of Save Our Schoharie (SOS), a group of residents and property owners who organized in 2005 after hearing of an application to the New York State Department of Conservation (NYSDEC) by Cobleskill Stone Products (CSP) for permission to extend its mining operations onto 91 acres of agricultural land overlooking Schoharie village. SOS is committed to economic growth and environmental sustainability and fully supports official efforts by the Town and Village of Schoharie to implement a community-based vision for the area.

Enclosed please find our comments on the *Draft Environmental Impact Statement* (DEIS) for the proposed expansion, CSP's Schoharie Quarry. These comments are being submitted as our official submittal for the public comment period.

This comment contains the following:

1. November 18, 1995 Comments on the DEIS by Save Our Schoharie;
 - These comments include numerous comments submitted to our group from the Schoharie community, and those comments should also be considered comments on the DEIS. In addition, this resubmittal provides our comments as to how the DEIS should have been conducted. This places our specific comments on the DEIS in context, without having to repeat the entire set of comments on the Scope of Work, and so should be viewed as comments on the DEIS as well.
2. An assessment of how the DEIS addressed the directives from the NYS DEC in the January 26, 2006 letter to CSP regarding the Scope of Work;
3. March 2007 Comments on the DEIS by Save Our Schoharie, including –

- a. November 29, 2006 Comments on DEIS Visual Assessment,
 - b. September 20, 2006 Comments on DEIS Noise Assessment,
 - c. March 2007 Comments on DEIS Vegetation and Wildlife Inventory and Wetland Delineation Report,
 - d. March 2007 Comments on DEIS Fugitive Dust Control Plan,
 - e. March 2007 Comments on DEIS Hydrogeologic Impact Assessment,
 - f. March 2007 Comments on DEIS Blasting Overview and Best Practices;
4. Resume of Save Our Schoharie's Chief Technical Reviewer, Robert Montione, SOS Vice President;

We request that you and your staff seriously review these comments and information.

Based on our review of the DEIS, on our own experiences, we provide the following brief summary (see rest of comments for details) of the impacts that would be caused by the granting of this expansion.

1. **Future Production.** While the DEIS contains numerous broad statements that no increases in production are to be expected and that work on the expansion would not begin for 40 years, the facts are that the modifications to the current facility included in this proposal provide the capacity to dramatically increase CSP's production at any time, and provide no restrictions on production. Also major earthmoving activities are proposed to begin immediately if this application is approved.
2. **Karst Features.** While incomplete in their analysis, the DEIS clearly states that the proposed expansion would eliminate the recharge area for Becker's Cave, and likely cause structural failure of Becker's Cave. The dye study and the limited hydrogeologic data strongly suggest that the spring at the Palatine House would be affected in both flow and quality.
3. **Water.** DEIS states that the stream flowing through Lasell Park would be eliminated. Almost no data on groundwater was collected (water levels from three fully penetrating wells on site, no off-site data at all). The DEIS indicates that the water table would be lowered by at least 100 feet, strongly suggesting that there will be impacts to nearby private wells, as well as water flow in Becker's Cave and the spring at the Palatine House.
4. **Air.** No air data was collected. However, based on the large amounts of visible dust leaving the site, and the information that the rock being mined is up to 29 percent silica, and that more than one third of the dust produced at the facility is reported to be respirable, it is clear that there are currently large violations of NYS DEC regulations and likely human health impacts, and these would be expected to increase with this expansion.
5. **Ecology.** The DEIS did not complete the biological inventory, but the proposed expansion would clearly eliminate the local population of Jefferson's salamander, as well as the biological community of Becker's Cave.
6. **Traffic.** The data provided is incomplete. However, it is obvious that truck

traffic from the CSP facility would increase with the increase production capacity proposed in the application. The current dust and noise releases from the mobile sources of the CSP trucks likely violate NYS DEC standards, and would only increase if this application were to be granted.

7. **Cultural.** The assessment is incomplete. Additionally, we do note that the blasting would be moved closer to numerous historic buildings in town, putting these structures at risk.
8. **Visual.** The DEIS makes very clear that the proposed excavation would be potentially visible from about 7,500 acres of the Schoharie Valley, and that the proposed excavation will have large impacts on the viewscales of the Schoharie community.
9. **Noise.** The assessment is incomplete, however the data collected shows that there are already gross violations (14 dB above background 1,000 feet from the property line) of DEC regulations (no increases above 6 dB at the property line) at the current facility. The DEIS does not assess the mobile sources (trucks in the community) at all. It is expected that these impacts would only multiply with increased production, and with the addition of an additional crusher and moving the primary crusher to the east.
10. **Blasting.** No data at all was provided on blasting. However, the community has reported structural damage due to blasting, and the occurrence of flyrock in residential areas, in violation of DEC standards. Moving the excavation closer to the village would only makes these impacts worse. Furthermore, the nuisance impacts of the ground vibration and overpressures will be closer to the residential and business district, as would the large dust plumes produced by CSP's blasting.
11. **Community.** The expansion of the CSP quarry is in violation of the local Land Use Law, and contrary to the combined Village/Town shared Master Plan in all aspects. Furthermore, far prior to CSP's existence in our town and village, the Schoharie community was renowned for its historic and rural nature, which provides an economy based on tourism and agriculture, with numerous (50 or more) businesses on the Main Street corridor. That expansion and this proposed expansion, if approved, would destroy the nature of the community, and turn Schoharie into what it never was in the past – a mining town dependent on a single company for its economy; a company which states in the DEIS that no economic benefit will be afforded to the town or village by this expansion.

As we have summarized here and documented in the attached comments, The DEIS, while inaccurate and incomplete in many instances, documents that the current CSP operation is violating NYSDEC regulations and causing negative environmental impacts, and that the proposed expansion would cause these violations and impacts to increase in scope and intensity, in nearly every major category of the assessment.

We request that, having reviewed these comments and documentation, NYS DEC halt the processing of the application, EIS, or any other proceeding related to the expansion of the CSP mining operation in the Schoharie community, and that NYSDEC take steps to

address the violations to the environment and community under its jurisdiction that are currently taking place.

Thank you for your attention to this matter. We look forward to your favorable reply.

Sincerely,

Robert Montione
Vice Chairman of SOS

c: Mr. C. McKelvey, NYSDEC